

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE FORMAL COMPLAINT) Formal Complaint No. 1364
OF JEREL ROSS d/b/a YAP AUCTION,)
)
Complainant,)
)
vs.) **ANSWER AND**
) **AFFIRMATIVE DEFENSE**
NORTHWESTERN ENERGY)
)
Respondent.)

Respondent, NorthWestern Corporation d/b/a NorthWestern Energy (hereinafter "NorthWestern"), by and through the undersigned counsel, for its Answer to the Formal Complaint filed by Jerel Ross d/b/a YAP Auction of Grand Island, Nebraska, states and alleges as follows:

1. NorthWestern admits providing natural gas services to Complainant at 801 West Anna Street, Grand Island, Nebraska.
2. NorthWestern admits opening a new account for Complainant at 317 West 4th Street, Grand Island, Nebraska on July 1, 2013.
3. NorthWestern admits disconnecting service to the 317 West 4th Street on or about May 27, 2014, after Complainant failed to pay for: (i) natural gas delivered to 317 West 4th Street; and (ii) a prior balance in dispute for gas delivered to 801 West Anna Street. NorthWestern restored service to 317 West 4th Street pending the resolution of this matter.
4. Except as specifically admitted herein, NorthWestern denies each and every matter and allegation in the Formal Complaint. Complainant failed to timely request the discontinuation of service at 801 West Anna Street and is

responsible for the natural gas delivered to such address through the date
NorthWestern was properly instructed to disconnect service.

AFFIRMATIVE DEFENSE

The Formal Complaint fails to state a claim upon which relief can be granted.

FOR THE ABOVE REASONS, NorthWestern respectfully requests the
Commission dismiss the Formal Complaint with prejudice.

Dated this 1st day of December, 2014.

REMBOLT LUDTKE, LLP

By: 

Andrew S. Pollock (#19872)
1201 Lincoln Mall, Suite 102
Lincoln, NE 68508
Phone: (402) 475-5100
Facsimile: (402) 475-5087
apollock@remboltludtke.com
Attorneys for Respondent


CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **ANSWER AND
AFFIRMATIVE DEFENSE** was served via U.S. mail upon the following:

Galen E. Stehlik
Lauritsen, Brownell, Brostrom & Stehlik, P.C.
724 West Koenig Street
P.O. Box 400
Grand Island, NE 68802-0400

YAP Auction
c/o Jerel Ross
P.O. Box 2259
Grand Island, NE 68802

Dated this 1st day of December, 2014.


Andrew S. Pollock